

**PROTECTION and ADVOCACY for BENEFICIARIES of SOCIAL SECURITY (PABSS)**

**ANNUAL PROGRAM PERFORMANCE REPORT**

**REPORTING PERIOD: From 12/1/2007 To 11/30/2008**

**GRANT AWARD NUMBER: 17-B-20018-5-03**

**STATE: IN**

**AGENCY NAME: INDIANA - Indiana Protection and Advocacy Services**

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**DATE SUBMITTED: 12/5/2008**

**Part I - Quantitative Statistics****Section A: Information and Referral**

How many individuals received Information and Referral under the PABSS program during the Report Period? (Do not count individuals more than once for this response.)

Individuals Receiving I&R	65
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How many Information and Referral requests were made under the PABSS program during the report period? (Include all I&R requests, even if more than one for some individuals. This number should equal or exceed Section A. 1.)

Information and Referral Requests	66
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**Section B: Individuals and Issue Area Service Requests/Workload Statistics****Individuals**

a. How many individuals had open PABSS issue area service requests at the start of the report period?	7
b. How many new PABSS individuals were added during the report period?	35
<b>Total Individuals Served</b>	<b>42</b>
c. Total number of individuals with all issue area service requests that were closed during the report period under the PABSS program	27
<b>Total Individuals Still Being Served</b>	<b>15</b>

**Services**

a. Total PABSS issue area service requests open at the start of the report period.	6
b. Number of new PABSS issue area service requests added during the report period?	38
<b>Total Services</b>	<b>44</b>
c. Total number of issue area service requests closed during the report period?	28
<b>Total Services Still Open</b>	<b>16</b>

**Section C: Individual Demographics**

1. Please provide counts of individuals served by Gender:

a. Male	17
b. Female	18
<b>Total individuals receipted</b>	<b>35</b>

**2. Please provide counts of individuals served by Ethnicity:**

<b>a. Alaskan Native</b>	<b>0</b>
<b>b. American Indian</b>	<b>1</b>
<b>c. Arab American (Middle Eastern)</b>	<b>0</b>
<b>d. Asian</b>	<b>0</b>
<b>e. Black (Not Hispanic/Latino Origin)</b>	<b>8</b>
<b>f. Hispanic/Latino</b>	<b>3</b>
<b>g. Multi Racial / Multi Cultural</b>	<b>1</b>
<b>h. Pacific Islander</b>	<b>0</b>
<b>i. White (Not Hispanic/Latino Origin)</b>	<b>22</b>
<b>j. Unknown</b>	<b>0</b>
<b>Other (IF SELECTED MUST SPECIFY)</b>	<b>0</b>
<b>Total individuals receipted</b>	<b>35</b>

**3. Please provide counts of individuals receipted by Age Bracket:**

<b>a. 14 to 18</b>	<b>0</b>
<b>b. 19 to 21</b>	<b>0</b>
<b>c. 22 to 40</b>	<b>10</b>
<b>d. 41 to 59</b>	<b>23</b>
<b>e. 60 to 64</b>	<b>2</b>
<b>Total individuals receipted</b>	<b>35</b>

**Please provide counts of individuals receipted by Beneficiary Status.**

<b>a. SSI eligible</b>	<b>4</b>
<b>b. SSDI eligible</b>	<b>22</b>
<b>c. Dually eligible</b>	<b>9</b>
<b>Total individuals receipted</b>	<b>35</b>

**Please provide counts of individuals receipted by Primary Disability:**

<b>a. Absence of extremities</b>	<b>0</b>
<b>b. Autism</b>	<b>0</b>
<b>c. Auto-immune (lupus, thyroid, ALS, etc.)</b>	<b>0</b>
<b>d. Blindness (both eyes)</b>	<b>3</b>
<b>e. Cancer</b>	<b>0</b>
<b>f. Cerebral palsy</b>	<b>1</b>
<b>g. Deaf-blind</b>	<b>0</b>
<b>h. Deafness</b>	<b>3</b>

<b>i. Diabetes</b>	<b>0</b>
<b>j. Digestive disorders (chronic pancreatitis, esophageal stricture, fistulae, chronic liver, etc.)</b>	<b>0</b>
<b>k. Epilepsy</b>	<b>0</b>
<b>l. Genitourinary conditions (kidney, prostate, etc.)</b>	<b>0</b>
<b>m. Hard of Hearing (not deaf)</b>	<b>0</b>
<b>n. Heart and other circulatory problems including cardiovascular</b>	<b>0</b>
<b>o. HIV/AIDS</b>	<b>0</b>
<b>p. Mental illness (diagnosis according to DSM-IV)</b>	<b>12</b>
<b>q. Mental retardation</b>	<b>1</b>
<b>r. Multiple sclerosis</b>	<b>0</b>
<b>s. Muscular dystrophy</b>	<b>1</b>
<b>t. Muscular / Skeletal impairment (arthritis, fibromyalgia, osteogenesis imperfecta, osteomyelitis, etc.)</b>	<b>1</b>
<b>u. Neurological disorders (brain tumors, convulsive disorders, Parkinson, etc.)</b>	<b>0</b>
<b>v. Other emotional/behavioral (Provide detail)</b>	<b>0</b>
<b>w. Other intellectual such as ADD/ADHD (Provide detail)</b>	<b>1</b>
Severe ADHD	1
<b>x. Physical / orthopedic including spinal cord injuries, paraplegia, quadriplegia, back problems, etc.</b>	<b>8</b>
<b>y. Respiratory disorders (emphysema, asthma, pulmonary hypertension, cystic fibrosis, etc.)</b>	<b>0</b>
<b>z. Specific learning disabilities (SLD)</b>	<b>0</b>
<b>aa. Speech impairment</b>	<b>0</b>
<b>bb. Spina bifida</b>	<b>0</b>
<b>cc. Substance abuse (alcohol or drugs)</b>	<b>1</b>
<b>dd. Tourette syndrome</b>	<b>0</b>
<b>ee. Traumatic brain injury (TBI)</b>	<b>2</b>
<b>ff. Visual Impairment (not blind)</b>	<b>0</b>
<b>gg. Disability not known/Other than Above (Specify)</b>	<b>1</b>
Migranes, issues with jaw related to prior dental surgery	1
<b>Total individuals receipted</b>	<b>35</b>

#### **Section D: Major Source of Concern**

Please Provide counts of all PABSS issue are service request receipts by major source of individual's concern for the current report period:

<b>1. State Vocational Rehab Agency (public VR program)</b>	<b>36</b>
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<b>2. Employment Networks (SSA contractor)</b>	<b>1</b>
<b>3. Agencies other than 1. or 2. above</b>	<b>0</b>
<b>4. Employment discrimination – hire, fire, promotion</b>	<b>0</b>
<b>5. Employment wages and benefits</b>	<b>0</b>
<b>6. Housing</b>	<b>0</b>
<b>7. Healthcare (not 5 above)</b>	<b>0</b>
<b>8. Insufficient/improper benefits planning</b>	<b>0</b>
<b>9. Transition services (Student beneficiary between 14-18 (or under age 22) engaging/needing a transition plan)</b>	<b>0</b>
<b>10. Post Secondary accommodation</b>	<b>0</b>
<b>11. Transportation</b>	<b>0</b>
<b>12. Social Security benefits cessation based on SGA (including CDR's) – not Overpayment</b>	<b>0</b>
<b>13. Benefits Questions/Work Incentives – Not 12 or 14</b>	<b>0</b>
<b>14. Work Related Overpayment</b>	<b>1</b>
<b>15. Other (IF SELECTED MUST SPECIFY)</b>	<b>0</b>
<b>Total issues/service requests of individuals receipted.</b>	<b>38</b>

### **Section E: Closed Issue Area Service Requests**

**What was the problem/sub-problem area?**

<b>a. [AT] Assistive Technology</b>	<b>0</b>
<b>b. [Education] Transition school to work</b>	<b>0</b>
<b>c. [Employment] Discrimination in employment benefits</b>	<b>0</b>
<b>d. [Employment] Discrimination in hiring</b>	<b>0</b>
<b>e. [Employment] Unlawful termination / firing</b>	<b>0</b>
<b>f. [Employment] Other employment discrimination</b>	<b>0</b>
<b>g. [Employment] Reasonable accommodation – not d, e, or f from above</b>	<b>0</b>
<b>h. [Employment] Service provider issues – not c-g above</b>	<b>0</b>
<b>i. [Employment] Wage and hour issues</b>	<b>0</b>
<b>j. [Financial Entitlements] SSI: Overpayments based on work issues</b>	<b>0</b>
<b>k. [Financial Entitlements] SSDI: Overpayments based on work issues</b>	<b>0</b>
<b>l. [Financial Entitlements] (other) – Specify</b>	<b>0</b>
<b>m. [Healthcare] Medicaid only issues</b>	<b>0</b>
<b>n. [Healthcare] Medicare/Medicaid issues</b>	<b>0</b>
<b>o. [Healthcare] Medicare only issues</b>	<b>0</b>
<b>p. [Healthcare] Private Insurance Issues</b>	<b>0</b>
<b>q. [Housing] Accommodations in housing</b>	<b>0</b>
<b>r. [Housing] Subsidized housing/Section 8</b>	<b>0</b>

<b>s. [Housing] Rental termination – not q .</b>	<b>0</b>
<b>t. [Housing] Other – Specify</b>	<b>0</b>
<b>u. [Childcare]</b>	<b>0</b>
<b>v. [Rehab Services] Related to State VR</b>	<b>27</b>
<b>w. [Rehab Services] Related to Employment Network (EN)</b>	<b>1</b>
<b>x. [Rehab Services] Related to Agencies other than State VR or Employment Network (EN)</b>	<b>0</b>
<b>y. [Post-Secondary Ed] Accessibility</b>	<b>0</b>
<b>z. [Post-Secondary Ed] Funding issues</b>	<b>0</b>
<b>aa. [Post-Secondary Ed] Grievance Against College – Not y or z above</b>	<b>0</b>
<b>bb. [Post-Secondary Ed] Other – Specify</b>	<b>0</b>
<b>cc. [Services] Personal assistance – not Employment</b>	<b>0</b>
<b>dd. [Transportation]</b>	<b>0</b>
<b>ee. [Benefits Planning] referral / access to BPAO services</b>	<b>0</b>
<b>ff. [Other] (IF SELECTED MUST SPECIFY)</b>	<b>0</b>
<b>Total closed issue area service requests.</b>	<b>28</b>

**What was the reason for closing the individual's issue area service request?**

<b>a. Issue Resolved in Individual's Favor</b>	<b>12</b>
<b>b. Issue Partially Resolved in Individual's Favor</b>	<b>4</b>
<b>c. Issue Lacked Legal Merit</b>	<b>8</b>
<b>d. Individual decided not to pursue resolution or Individual Withdrew Complaint (Not e-g below)</b>	<b>3</b>
<b>e. Other Representation Obtained (Individual found other representation)</b>	<b>0</b>
<b>f. Individual Not Responsive to Agency / Individual refused to cooperate with P&amp;A</b>	<b>1</b>
<b>g. Services Not Needed Due to lost contact, Death, Relocation, etc.</b>	<b>0</b>
<b>h. Advocacy efforts/appeals were unsuccessful (Issue not resolved in Individual's Favor)</b>	<b>0</b>
<b>i. Other (IF SELECTED MUST SPECIFY)</b>	<b>0</b>
<b>Total closed issue area service requests.</b>	<b>28</b>

**What was the highest intervention strategy used?**

<b>a. Short Term/Technical assistance</b>	<b>18</b>
<b>b. Informal Resolution</b>	<b>1</b>
<b>c. Investigation/Monitoring</b>	<b>3</b>
<b>d. Negotiation</b>	<b>4</b>
<b>e. Mediation / Alternative Dispute Resolution</b>	<b>0</b>
<b>f. Administrative Remedies</b>	<b>1</b>

<b>g. Legal remedy / Litigation</b>	<b>0</b>
<b>h. Class Action Suits</b>	<b>0</b>
<b>i. Systemic / Policy activities</b>	<b>1</b>
<b>Total closed issue area service requests.</b>	<b>28</b>

As a result of P&A intervention, the following major outcome was achieved:

<b>a. Individual gained / maintained access to services including those of VR, EN or other agency</b>	<b>13</b>
<b>b. Individual obtained employment</b>	<b>0</b>
<b>c. Individual regained employment</b>	<b>0</b>
<b>d. Individual maintained employment</b>	<b>1</b>
<b>e. Individual advanced in employment</b>	<b>0</b>
<b>f. Individual's employment opportunities increased</b>	<b>2</b>
<b>g. Individual obtained an increase in salary and/or benefits</b>	<b>0</b>
<b>h. Validity of discrimination complaint was upheld</b>	<b>0</b>
<b>i. Overpayment situation addressed (it doesn't matter if it was waived or the efforts weren't successful)</b>	<b>0</b>
<b>j. Individual acquired knowledge concerning his/her rights</b>	<b>11</b>
<b>k. Outcome information is not available</b>	<b>1</b>
<b>l. Other outcome (IF SELECTED MUST SPECIFY)</b>	<b>0</b>
<b>Total outcomes of closed issue area service requests.</b>	<b>28</b>

## **Part II - Narrative Reporting**

### **Section A: Description of Progress and Status Update**

Please provide a brief overview of overall project status, staff changes, staff training or other major developments with regard to the PABSS program. This could include information about boards and committees where decisions are made concerning disability service delivery and local policy.

#### **FY 2008 1ST Bi-Annual Report**

The Indiana PABSS grant has maintained the same three Advocates for the past four years. Each of these three Advocates has responsibility for approximately thirty of Indiana's ninety-two counties. All of the PABSS staff have established a solid working relationship with the Indiana Vocational Rehabilitation Services (VR) offices located within their assigned territories. This is of particular importance and value as VR is the largest employment network (EN) with 96% of all beneficiaries who have assigned Tickets state-wide having done so to this agency.

The PABSS Coordinator continues to serve as an active member of the State Rehabilitation Commission attending all quarterly meetings as well as chairing the "Policy and Procedure Subcommittee" responsible for reviewing all administrative

hearing decisions as well as VR policies and procedures.

Indiana Vocational Rehabilitation Services (VR) continues to be the largest employment network in Indiana with over 96% of all Tickets being assigned to that agency. A meeting was held with both the new Field Services Director of VR Services and the Bureau of Rehabilitation Services Director on 3/20/2008 to discuss several issues, including ways to increase communication, provision of needed services for beneficiaries wanting to work including hearing aids, vehicle modifications, services for individuals who are blind, as well as various policy and procedure issues.

PABSS staff continue to monitor the implementation of specific policies that involve: restorative services and most particularly the provision of hearing aids, vehicle modifications, appeals and administrative hearings, and provision of post-secondary education.

The PABSS Coordinator attended the Social Security Administration's "2008 Ticket Partners Summit" in Louisville, Kentucky March 10-13, 2008. Sessions attended by the Coordinator included: using assistive technology to increase employment opportunities, career building for beneficiaries, assisting beneficiaries with business start-up, and successful practices for providing outreach and culturally sensitive services to diverse populations. Representatives from Indiana VR as well as the Work Incentives Planning and Assistance projects also attended the Summit.

The PABSS Coordinator participated in two teleconferences within the past six months:

the Quarterly PABSS Program Teleconference with the Social Security Administration on 4/22/08 and a teleconference on 5/22/08 involving the new amendments to the Ticket to Work and Self-Sufficiency Program.

On 5/30/2008 the PABSS Coordinator attended the organizational meeting for the Indiana Medicaid Infrastructure Grant Leadership Council. The first task of this Council is to complete the application requirements for a grant from the Centers on Medicaid Services. The amount of this grant is substantial and if awarded, Indiana would utilize a portion of the monies to augment supports and services for beneficiaries who are attempting to gain, maintain, or regain employment.

All PABSS staff continue to advocate for individuals to receive all services they need to be able to have a real career and eliminate their need for Social Security benefits. The PABSS staff continue to work with the work incentives planning and assistance outreach projects located within the state of Indiana as well. Indiana PABSS continues to prioritize outreach to transition aged students with disabilities having developed specific written materials and attended transition fairs.



The Indiana PABSS grant has maintained the same three Advocates for the past five years. Each of these three Advocates has responsibility for a third of Indiana's ninety-two counties in the state with all counties having coverage. All of the staff have established quality, solid working relationships with the Indiana Vocational Rehabilitation Services (VR) offices in their assigned territory. This is of particular importance because Indiana VR is the largest employment network and has 98% of all Tickets assigned to them. The majority of Indiana's PABSS cases continue to involve beneficiaries who are attempting to receive services from VR to enable them to return to work. Staff have also established relationships with all other employment networks as well as the Work Incentives Planning and Assistance (WIPA) projects.

The PABSS Coordinator continues to serve as an active member of the State Rehabilitation Commission attending all quarterly meetings as well as chairing the "Policy and Procedure Subcommittee" responsible for reviewing all administrative hearing decisions and providing comment on VR policies and procedures. VR has begun the process of rewriting its policies and procedures to allow for clearer guidance for field staff. The PABSS Coordinator has been asked to monitor and provide input into this project and serve as the liaison to the Commission.

Seven Work Incentives Seminar (WISE) events were attended by IPAS staff this past quarter: one in Bloomington on 7/30; two in Indianapolis on 7/31; two in Lafayette on 8/14; and two in Anderson on 9/18. IPAS staff presented information on the benefits of utilizing the Ticket to Work program and how IPAS can assist them in their pursuit of a career.

The PABSS Coordinator participated in two monthly conference calls between representatives from the Social Security Administration and states' PABSS programs.

In late July the Social Security Administration (SSA) completed an on-site visit with the Indiana PABSS program. The program was found to be in compliance with SSA requirements for the program.

The PABSS Coordinator continues to serve as a member of the Indiana Medicaid Infrastructure Grant (MIG) Leadership Council. The Council continues to discuss specific activities to be completed under the newly awarded Comprehensive Services Employment Grant that would remove barriers to employment for individuals with disabilities. Medicaid and Indiana Vocational Rehabilitation Services utilized some MIG grant funds to sponsor a two day conference held on 11/19 and 11/20/08, the Indiana Summit on Economic Development, Employment, and Disability, which was very well attended by representatives from mental health centers, community rehabilitation agencies, employment networks, and the private employment sector.

**Section B: Detail of Actions Taken on the Project**

**Issue Area Service Requests Summaries:** [Please provide summaries of three Issues/Service Requests undertaken as part of the PABSS project. Indicate clearly the issue or problem, the PABSS intervention, and the results if known]

**FY 2008 1ST Bi-Annual Report  
Service Request #1**

“Andrew” was a forty-eight year old individual with Usher’s Syndrome, retinosa pigmentosa, and deafness. Andrew was also a beneficiary of Social Security Disability Insurance (SSDI). Andrew has been involved with Indiana Vocational Rehabilitation Services (VR) since 2004 and had assigned his Ticket to this employment network. Andrew contacted Indiana PABSS after his VR Counselor refused to allow him to pursue either of his chosen vocational goals of massage therapist or advocate for individuals with disabilities. The assigned Advocate completed fact finding and determined that although VR had provided Andrew with some needed services, he had not received others that were key to him achieving a career. VR had assured that Andrew received a benefits analysis via the benefits planning, assistance, and outreach program. VR had also paid for some training through the Helen Keller National Center in terms of orientation and mobility as well as the use of Braille. The Advocate determined however that VR had failed to provide Andrew with counseling and guidance as well as many assessments that would allow him to become gainfully employed. VR cited cost as the reasoning for failure to provide these additional services. The Advocate indicated to the VR Counselor that the federal Rehabilitation Act of 1973, as amended, states that VR cannot set arbitrary cost limits as justification for failure to provide services. Further the Indiana VR Policy and Procedure Manual (PPM) 421 defines the use of assessments as part of the process for determining that the individual requires at least one available VR service to prepare for, enter or reenter, or maintain employment outcome. PPM 460 further describes the development of the IPE, noting that assessments must be used as the basis for IPE development. The PABSS Advocate convinced Andrew’s VR Counselor to provide a vocational interest assessment that would clearly identify and document Andrew’s strengths, weaknesses, and needs. This assessment determined that Andrew did indeed have the strengths needed to become an advocate for the disabled. The Advocate also encouraged the VR Counselor to provide Andrew with services via the customized employment grant which would “carve out” a job for him and provide the needed supports for him. Finally an Individual Plan of Employment (IPE) was developed outlining specific VR services to help him achieve his career goal of becoming an advocate for the disabled. Despite the development of the IPE services were delayed by VR for months. The Advocate insisted that the VR Counselor begin meeting with representatives from other agencies and services as needed to provide Andrew with those services listed on his IPE including a representative from the Helen Keller National Center. The Advocate insisted that Andrew be provided with needed assistive technology and training that would allow him to access his telephone with a Braille TTY, a PackMate (a laptop computer), computer software, and a tactile signaling device. The Advocate also provided information to Andrew that allowed him to attend workshops on advocacy for individuals who are deaf and blind. Andrew now has the

opportunity to become employed at a local independent living center. Andrew now has an active support team, possesses the assistive technology to be able to communicate with them, and has significantly improved his self-advocacy skills.

### **Service Request #2**

“Mark,” a twenty-one year old beneficiary of Supplemental Security Income (SSI) with bilateral blindness and cerebral palsy, was receiving educational services from the state school for the blind and Indiana Vocational Rehabilitation Services (VR). Mark’s father and guardian contacted IPAS/PABSS in December 2007 regarding a conflict over which of the two agencies, VR or the School for the Blind would pay for needed services. Mark’s most recent individual education plan completed in November 2007 recommended that he receive intensive services via the school’s “independent living rehabilitation program.” VR agreed that the recommended services would benefit Mark but refused to pay for them, indicating that they were prohibited from doing so per state policy and federal law, as their client was still receiving services from the local education agency. The Advocate agreed to fact find on the issue and determined that VR could indeed provide the needed services as they fall under the definition of “transition services” allowed for in the Federal Rehabilitation Act of 1973, as amended. The Advocate explained to Mark’s father that such a decision by VR could be appealed if he desired to do so.

During negotiations with VR officials, the School for the Blind decided to provide these services to Mark at no charge rather than making further attempts to have VR pay for them. Mark’s father decided not to appeal VR’s denial and Mark is currently receiving the needed services as outlined in his individual education plan. He will receive additional VR services to gain employment once he completes his schooling in May of 2008. The Advocate spoke with the director of the State school for the Blind and encouraged her to contact IPAS in the future should similar issues arise. She was also encouraged to apprise students and their families of Protection and Advocacy for Beneficiaries of Social Security (PABSS) services in relationship to any future employment network issues.

### **Service Request #3**

“Ernie” is a forty-seven year old Social Security beneficiary with mental illness. Ernie contacted Indiana Protection and Advocacy Services (IPAS) in October 2007 for assistance with receiving Ticket milestone payments. Ernie had assigned his Ticket to an employment network, “AAA Take Charge”, had met all milestones, and had been gainfully employed since December of 2006. AAA Take Charge however did not believe that Ernie was off of Social Security benefits and refused to reimburse him the Ticket money he deserved. The assigned IPAS Advocate investigated Ernie’s complaint.

The assigned Advocate made many phone contacts with a representative from Maximus, an agency which contracts with the Social Security Administration (SSA) to act as the Program Director for the Ticket to Work Program. The Advocate determined that Ernie’s Ticket had been assigned to the Oklahoma Vocational Rehabilitation

Services (VR) without his knowledge prior to his moving to Indiana. Many additional phone calls and emails occurred between the Oklahoma VR Ticket Liaison and the assigned Advocate. The assigned Advocate enlisted the assistance of the Indiana SSA Area Work Incentives Coordinator (AWIC) to assist with identifying and correcting the breakdown in “the system” which did not allow Ernie to receive “timely” work support payments from his chosen employment network. Much misinformation existed amongst all the parties involved in Ernie’s use of his Ticket. The Advocate’s investigation revealed that SSA had mistakenly determined that Ernie’s Ticket use needed be reviewed for a “split payment consideration” due to the fact that he had participated in the Oklahoma VR program in the past. Social Security failed to contact the Oklahoma VR agency in a timely fashion to allow them to request reimbursement for the rehabilitation services provided to Ernie. Oklahoma VR was therefore not entitled to any SSA reimbursement and all of the milestone payments should have been credited to AAA Take Charge allowing for a much larger reimbursement to Ernie. Ernie began receiving his milestone payments in February of 2008 and has received full reimbursement. He continues to be gainfully employed and is completely off of SSA benefits.

#### **FY 2008 2ND Bi-Annual Report Service Request #1**

“Connie” a 52 year old beneficiary of Social Security Disability benefits with physical and orthopedic disabilities assigned her Ticket to Indiana Vocational Rehabilitation Services (VR) as she desired to complete a degree in medical coding from Indiana Business College. Connie had completed about a year of classes toward this degree but manifestations of her disability as well as personal crises had left her unable to continue this for a period of time. Connie contacted IPAS’ Protection and Advocacy for Beneficiaries of Social Security (PABSS) in July 2008 in regards to continuing problems with efforts to obtain her degree and VR’s alleged unwillingness to support this endeavor. IPAS agreed to investigate Connie’s complaint. Per record review and interview with VR staff IPAS determined that Indiana Business College had revised their curriculum during the time Connie was unable to attend classes and the college would now require two years of classroom as opposed to one to complete all required coursework. It was also determined that this college was private and VR would not be required, per policy and law, to pay completely for her tuition. IPAS facilitated a meeting between VR personnel and Connie. Ivy Tech was discussed as an option in that Connie would only have to complete one year of required coursework at this public college. Connie was pleased with the thought of only needing one more year of schooling to complete her degree and VR agreed to support her vocational goal via financial assistance and other needed supports.

#### **Service Request #2**

“Ernie” is a forty-seven year old Social Security beneficiary with mental illness. Ernie contacted Indiana Protection and Advocacy Services’ Protection and Advocacy for

Beneficiaries of Social Security program in October 2007 for assistance with receiving Ticket milestone payments. Ernie had assigned his Ticket to an employment network, "AAA Take Charge", had met all of the milestones, and had been gainfully employed since December of 2006. AAA Take Charge however did not believe that Ernie was off of Social Security benefits and refused to reimburse him the Ticket money he deserved. IPAS investigated Ernie's complaint.

Through many phone contacts with a representative from Maximus, an agency which contracts with the Social Security Administration (SSA) to act as the Program Director for the Ticket to Work Program, IPAS/PABSS determined that Ernie's Ticket had been assigned to the Oklahoma Vocational Rehabilitation Services (VR) without his knowledge prior to his moving to Indiana. IPAS contacted the Oklahoma VR Ticket Liaison and enlisted the assistance of the Indiana SSA Work Incentives Liaison (WIL) to identify and correct the breakdown in the system that was preventing Ernie from receiving work support payments from his chosen employment network.

IPAS' investigation revealed that SSA had mistakenly determined that Ernie's Ticket use needed to be reviewed for a "split payment consideration" due to the fact that he had participated in the Oklahoma VR program in the past. Social Security failed to contact the Oklahoma VR agency in a timely fashion to allow them to request reimbursement for the rehabilitation services provided to Ernie. Oklahoma VR was therefore not entitled to any SSA reimbursement and all of the milestone payments should have been credited to AAA Take Charge allowing for a much larger reimbursement. Ernie began receiving his milestone payments in February of 2008 and has received full reimbursement. He continues to be gainfully employed and is completely off of SSA benefits.

### Service Request #3

"Jane" is a sixty-two year old beneficiary with a disability of partial deafness and who had worked successfully as a waitress and bartender at a local Veterans of Foreign Wars (VFW) post for several years. Although Jane possessed and wore hearing aids her hearing had deteriorated slightly over the years causing her difficulty in understanding customers' requests. The hearing aids no longer assisted her in clearer sound discrimination and increased volume. Further the VFW Manager had added both a jukebox and video arcade area in the restaurant/lounge area causing further problems for Jane in hearing food and drink orders. Jane had begun to make mistakes on the job due to her hearing difficulties. Jane assigned her Ticket to Indiana Vocational Rehabilitation Services (VR), the state's largest employment network, and requested new hearing aids that would allow her to hear more effectively. VR denied her eligibility based on VR Policy and Procedure Manual (PPM) 421.20(2)(B), "An applicant who has either a PTA loss of 0 to 39dB in the better ear (unilateral hearing loss) or an unaided speech discrimination score of 70% or better does not have a substantial impediment to employment for purposes of eligibility determination for VR services, unless the hearing loss itself (with or without other attendant conditions) renders the individual unable to perform specifically identified essential job functions of the planned employment outcome." VR simply had Jane's hearing loss measured

via an audiology evaluation but made no attempt to obtain information on how the hearing loss has impacted her ability to maintain her current employment. The PABSS Advocate visited Jane's place of work and spoke with the VFW Manager who explained that Jane's continued employment with him was somewhat in jeopardy. The PABSS Advocate also spoke with the audiologist who explained that Jane's current hearing aids were no longer effective in large part due to the permanent, accumulated build-up of cooking grease and cigarette smoke within her work environment. The PABSS Advocate attempted to informally resolve this issue with various VR personnel from November of 2007 through January of 2008. However all attempts to resolve the issue were rebuffed leaving the Advocate and Jane no choice but to pursue an appeal and formal administrative hearing. In March of 2008 the PABSS Advocate represented Jane at the administrative hearing and received a decision from the hearing officer reversing the VR decision and ordering the agency to provide Jane with the necessary hearing aids. Jane received her new hearing aids in June of 2008 and now works without need for Social Security benefits.

#### Outreach Statistics:

Total Number of Outreach/Presentations	52
Total Number of Persons Reached by Outreach/ Presentation Events	4051

#### Other Information Dissemination Activities: (Number of Instances)

1. Radio/TV appearances by PABSS staff	0
2. Newspaper/Magazine/Journal articles prepared by staff	0
3. PSAs/videos/films aired by the Agency	0
4. Reports disseminated	0
5. Publications/Booklets/Brochures disseminated	18880
6. Number of Website hits	64945
7. Other media activities (IF SELECTED MUST SPECIFY)	0

**Outreach Narrative:** [Describe the agency's outreach efforts. Describe the trainings presented by the staff including information about the topics covered, the purpose of the training, and a description of the attendees. Describe media events, informational materials developed or other activities undertaken as part of the PABSS project.]

#### FY 2008 1ST Bi-Annual Report

The following training and outreach presentations have been completed in the past six months:

- 1) 12/5 and 12/6/08; Indiana Association of Persons in Supported Employment(IN-APSE);  
beneficiaries, service providers, and employment network representatives;  
250 attendees
- 2) 2/4/08; Blue River Parents Group - a sheltered workshop and employment services agency; 45 individuals in attendance.
- 3) 3/12/08; Education Summit for Juvenile Detention; 7 attendees.

- 4) 3/14/08; Lebanon High School Transition Fair; 40 attendees.
- 5) 4/9/08; Gallahue Mental Health Center; 22 attendees.
- 6) 4/10/08; Greencastle High School Transition Fair; 75 attendees.
- 7) 4/14/08; First Chance Center; sheltered workshop and employment services; 6 attendees.
- 8) 4/16/08; Perry Township Transition Fair; 100 attendees.
- 9) 4/16/08; PATINS Assistive Technology Expo; 400 attendees.
- 10) 4/18/08; Willowbrook Vocational Rehabilitation Services Office; 6 attendees
- 11) 4/21/08; Meridian Street Vocational Rehabilitation Services; 6 attendees.
- 12) 4/24/08; Brownsburg Transition Fair; 60 attendees.
- 13) 4/28/08; Developmental Services, Inc.; sheltered workshop and employment services; 7 attendees.
- 14) 5/9/08 Sycamore Services (sheltered workshop and employment services) and Speedway United Methodist Church Parents Group; 50 attendees.
- 15) 5/14/08; Monroe County Transition Fair; 50 attendees.
- 16) 5/15/08; Blue River Services; sheltered workshop; 15 attendees.
- 17) 5/15/08; Blue River Developmental Services; employment services; 7 attendees.
- 18) 5/15/08; Shares Incorporated; sheltered workshop and employment services; 12 attendees
- 19) 5/16/08; Mental Health America; conference of mental health service providers; 100 attendees.
- 20) 5/17/08; Strengthening Our Roots; transition fair for individuals with autism; 100 attendees.
- 21) 5/22/08; Commission on Disproportionality in Youth Services; 40 attendees.

#### **FY 2008 2ND Bi-Annual Report**

IPAS conducted 31 presentations and/or exhibits in the past six months providing outreach to 2,613 individuals. These events were:

<b>Date</b>	<b>Event</b>	<b># in attendance</b>
6/4/08	Natl. Disability Rights Conf.	25
6/5/08	Natl. Disability Rights Conf.	26
7/16/08	Self-Advocates of Indiana	50
7/28/09	Adult Protective Services	4
7/29/08	Adult Protective Services	3
7/30/08	Southern IN. Resource Sltsn./Work One	30
7/31/08	WISE event in Indianapolis	25
7/31/08	WISE event in Indianapolis	12
8/6/08	Statewide Transition Conference Exhibit	550
8/25/08	Self Advocates of Indiana	40
9/1/08	Bosma Industries (blind/visually impaired)	50
9/8/08	Rehab. Hospital of IN. Traumatic Brain Injury Support Grp.	9
9/18/08	WISE event in Anderson	11
9/18/08	WISE event in Anderson	11

9/29/08	Dunn Mental Health Center	10	
10/2/08	Parkview Hospital (traumatic brain injury unit)		10
10/3/08	Brain Injury Assoc of IN. Annual Conference		225
10/7/08	WISE event in Richmond	15	
10/7/08	WISE event in Richmond	12	
10/8/08	Cardinal Services (sheltered workshop)		15
10/16/08	Carey Services Transition Fair	150	
10/21/08	Ft. Wayne Comm. Schools Transition Fair		350
10/24/08	Bartholomew County Comm. Schools Transition Fair		175
10/29/08	Hamilton/Boone/Madison Special Education Transition Fair		25
10/31/08	Lake County Transition Fair	300	
11/6/08	Zionsville School Transition Fair	100	
11/13/08	Lafayette Transition Fair	100	
11/14/08	Alliance Industries (sheltered workshop)		10
11/14/08	RISE (sheltered workshop)	10	
11/18/08	Avon Community Schools Transition Fair		50
11/19, 11/20/08	IN. Summit on economic Dev., Emp., & Disability (exhibit)		250

The following publications were distributed in the past six months:

Agency Brochures	2,370
Agency Booklet	938
PABSS Brochures	1,855
Family Guide to Transition	160
Agency Newsletter "imPAct"	1,632
Toll Free Resource Guide	692
Appeals guide	476
Transition guides specific to various schools	8100

### Section C: Problems Encountered and Steps Taken to Resolve Problems

Problems encountered and steps taken to resolve problems: [Please provide detail information about problems encountered in implementing or administering the PABSS program and actions you have taken to resolve the problems you encountered.]

#### **FY 2008 1ST Bi-Annual Report**

The PABSS program has not encountered any problems in the past six months.

#### **FY 2008 2ND Bi-Annual Report**

No problems were encountered during the past six months in the implementation and administration of the PABSS program.



**Section D: Planned Future Activities**

**Planned activities:** [Please provide activities you plan to undertake to further the objectives of the PABSS project.]

**FY 2008 1ST Bi-Annual Report**

Indiana PABSS will continue to focus outreach efforts on transition aged students and those beneficiaries working in sheltered workshop settings. The goal is to provide information to those beneficiaries in the hopes that they understand how to use their Ticket to obtain those services and supports which will allow them to obtain employment and careers.

**FY 2008 2ND Bi-Annual Report**

Transition aged students will continue to be a priority for the PABSS project. The Transition Handbook will be revised for a minimum of three additional school corporations or special education cooperatives and distributed within the next fiscal year.

PABSS will make contact with any of the newly approved employment networks including the Work One Centers. A PABSS poster has been developed, approved by SSA, and is being printed. These will be distributed to every Work One Center state-wide as well as all other employment networks.

PABSS will continue to work very closely with Indiana Vocational Rehabilitation Services (VR), the state's largest employment network, meeting with them regularly as well as providing valuable input into the development and revision of any procedures and policies.

**Section E: Diversification Activities**

**Diversification activities:** [Please provide a description of activities undertaken to address the needs of individuals with disabilities from diverse ethnic and racial communities.]

**FY 2008 1ST Bi-Annual Report**

IPAS and a public relations firm have begun the 2008 Communications Plan. This effort will confirm where our efforts and message is most needed in minority communities. A presentation was completed at the Building Sustainable Behavioral Health Initiatives in the Latino Community Conference in Angola, IN. titled, "Abuse, Neglect, and Violence against Persons with Disabilities within the Latino Community. There were approximately 30 individuals in attendance.

A minority owned business enterprise has been contracted by IPAS to assist in the development of an outreach plan focused on individuals from diverse ethnic and racial communities. This group has offered recommendations but IPAS has asked for them to revise their recommendations as these were not satisfactory.

IPAS met with the Vice President and Chief Financial Officer of the Indiana Minority

**Health Coalition to brainstorm on various outreach methods and opportunities to focus on within their agency. Further contact will be needed to pursue this option.**

**FY 2008 2ND Bi-Annual Report**

**1) A presentation was completed at the Building Sustainable Behavioral Health Initiatives in the Latino Community Conference in Angola, IN. titled, "Abuse, Neglect, and Violence against Persons with Disabilities within the Latino Community". There were approximately 30 individuals in attendance.**

**2) The agency Training Director met early in this fiscal year with Carl Ellison, VP and CFO of Indiana Minority Health Coalition to brainstorm on various outreach methods and opportunities that IPAS might focus on within their agency. Further contact will be needed to pursue this option.**

**3) In July of this year the agency provided information via exhibit booth with the Indiana Civil Rights Commission at the Indiana Black Expo event. Indiana Black Expo, Inc. (IBE) has been a pillar of the African-American community for 37 years as a year-round, multifaceted community service organization with 12 chapters around the state of Indiana. The mission is to be an effective voice and vehicle for the social and economic advancement of African-Americans. This is the largest event of its kind in the nation with attendance reaching up to 350,000 individuals.**

**4) Outreach for transition aged students continues to be a priority within the agency. A previously developed transition guide was re-formatted and individualized for two large school corporations, RISE in Marion County, and Lake County. These transition guides are intended to serve as a resource for parents and students in Lake County as well as Perry, Decatur, Franklin Townships, and the city of Beech Grove Townships in Marion County. The guide is a tool to be utilized in the development of a students individualized education and transition plans. A total of 5100 books were printed for Rise Learning Center and an additional 5100 books were printed for students in the Lake County area. Additional school corporations are being identified for future development and distribution of transition guides in 2009.**

**5) All PABSS brochures continue to be printed in Spanish as well as Braille for those who require these alternative formats.**